

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4082 of 1988

For Approval and Signature:

Hon'ble MR.JUSTICE A.M.KAPADIA

- =====
1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
 4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge? : NO

ANAMAT SAMARTHAN SAMITI

Versus

GUJARAT UNIVERSITY

Appearance:

MR MC BHATT for Petitioners
MR SN SHELAT for Respondent No. 1
MR SK BUKHARI, APP for Respondent No. 2
NOTICE SERVED for Respondent No. 3, 4, 5

CORAM : MR.JUSTICE A.M.KAPADIA

Date of decision: 18/02/2000

ORAL JUDGEMENT

By means of filing this petition under Article
226 of the Constitution of India, the petitioners have
prayed to issue appropriate writ, order or direction,

quashing and cancelling the admissions granted by the Gujarat University in B.Ed. Course to different colleges on 18-7-88 and to issue a writ of mandamus or any other appropriate writ, order or direction, directing the Gujarat University to grant admission on the basis of reservation of 7 p.c. of S.C. 13 p.c. of S.T. and 10 p.c. of other backward communities and declare the fresh list of admission on this basis.

2. Learned advocate Mr. M.P. Prajapati for the petitioner states that at the time of issuance of rule, this court recorded the statement made by learned counsel Mr. S.N.Shelat on behalf of respondent No.1 to the effect that University intends to abide by the Ordinance with respect to the reservation of seats. It has tried to adhere to the said Ordinance by including certain persons belonging to Scheduled Castes and Scheduled Tribes into the first list and it will make up the short-fall in the second list.

3. In view of the aforesaid statement, learned counsel Mr. Bhatt did not press for interim relief at the relevant time. On perusal of the affidavit in reply filed by the Registrar, Gujarat University, it is seen that the University granted admission with the reservation policy of the University and there has been no departure to the said reservation policy. It further inter-alia stated that the rules framed by this University as regards to admission of B.Ed. Course also state about the policy adopted by the Government as regards to admission of B.Ed. Course. The sum and substance of the so-called version made on behalf of the University is that the Government has adopted the said policy as statement made by learned advocate Mr. S.N.Shelat.

4. Learned advocate Mr. Acharya on behalf of the respondent Nos. 1,2 and 3 whereas learned A.P.P. Mr. Bukhari for respondent No.2 who are present state that the University is adopting the said policy since long. In view of this, the grievance made by the petitioners does survive, and therefore, the petition has become infructuous.

5. In view of the aforesaid state of affairs and in view of the statement made by learned senior counsel Mr. Shelat at the time of issuance of rule and averments made in affidavit in reply, this petition has become infructuous. Resultantly, the petition stands disposed of as it has become infructuous with no order as to cost. Rule discharged.

* * *

*mithabhai